

1 David C. Pride Jr H61218  
 2 Plaintiff In Pro Per  
 3 B2-211-Low  
 4 P.O. Box 5005  
 5 Calipatria Ca 92233

FILED

2009 APR 28 AM 10:44

CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

PM

6  
 7 United States District Court  
 8 Southern District of California

NUNC PRO TUNC

APR 17 2009

10 David C. Pride Jr  
 11 Plaintiff,  
 12 vs  
 13  
 14 M. Correa, et al.  
 15 Defendants

case No. 07-cv-1382-BEN(JMA)  
 Notice of motion and motion  
 for appointment of Counsel  
 (28 U.S.C. § 1915(d)), Exhibits A-  
 B. Plaintiff's declaration in  
 Support.

16 Courtroom  
 17 Judge:

3

The Honorable  
 Roger T. Benitez

18  
 19 To the honorable U.S. Magistrate Judge Jan M.  
 20 Adler, attorney for defendants, Please take notice  
 21 On April 30 2009 at 10:00 am. of the above  
 22 referenced court, Plaintiff will move the court  
 23 for appointment of Counsel under 28 U.S.C. §  
 24 1915. This motion is based upon this notice of mot-  
 25 ion for appointment of Counsel, exhibit 'A' Plain-  
 26 tiff's declaration in support, served and filed  
 27 herewith and fully incorporated herewith by re-  
 28 ference. This motion is made on the ground that



1 the ends of Justice requires appointment of cou-  
2 nsel.

3  
4 Dated 4.15.09 , /s/ D. Packer  
5 Plaintiff In Pro Per.  
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7 United States District Court  
8 Southern District of California  
9

10 David C. Pride JR	Case No. 07-cv-1382-BEN (JMA)
11 Plaintiff,	
12 vs	
13	
14 M. Correa, et al.	
15 Defendant	Plaintiffs Motion For Appointment of Counsel (28 U.S.C. § 1915 (d) ) Courtroom 3 U.S. Dist Court Judge The Hon- 16 orable Roger T. Benitez

17  
18 Plaintiff David C. Pride JR move this court  
19 for appointment of counsel under 28 U.S.C. § 1915  
20 (d).

21 The defendants have filed an answer to  
22 Plaintiffs Complaint (EXHIBIT A) that demonstr-  
23 ates that Plaintiff is very likely to prevail on  
24 his claims at trial.

25 Plaintiff is a lay person at law for which it  
26 will be extremely difficult for him to fairly  
27 and adequately present his case which will also  
28 require the use of medical experts.



1 Plaintiff has sought counsel on his own but  
2 have not been able to attain said (see  
3 EXHIBIT B)

4 In view of the merits of Plaintiff's  
5 claims in his complaint and the highly tec-  
6 hnical nature of it, requiring the use of  
7 medical experts etc. appointment of counsel is  
8 appropriate especially due to the fact plaintiff  
9 would be unable to interview witnesses and  
10 perform other methods of investigations from  
11 prison let alone be able to seek out and  
12 find expert witnesses. see *Crespo v. Laws Smith*  
13 U.S.D.C. E.D. Pa.) Case No. 2:06-cv-04651-E) 2007 WL -  
14 146905

15 Dated 4.15.09

16 151 D. Pride

17 Plaintiff.

